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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,547	01/23/2006	Hisamitsu Takagi	12088/043001	2101
22511 7590 07/18/2008 OSHA LIANG I.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010				
EXAMINER				
O'BRIEN, JEFFREY D				
ART UNIT		PAPER NUMBER		
3677				
NOTIFICATION DATE		DELIVERY MODE		
07/18/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com

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Office Action Summary

Application No.

10/565,547

Applicant(s)

TAKAGI ET AL.

Examiner

Jeffrey O'Brien

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

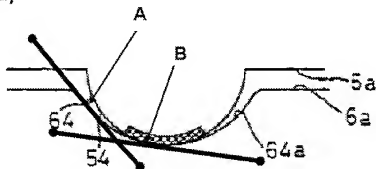
2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Oshima et al. (US 6,904,644 and US 2003/0009852) herein referred to as '644.

3. For Claim 1, '644 teaches a hinge apparatus comprising a first hinge member (Fig 6: 2), a second hinge member (6) turnably connected to said first hinge member, a movable member (5) arranged on a turning axial line of said first and second hinge members in such a manner as to be turnable about the turning axial line and movable in a direction of the turning axial line (column 5, lines 2-3), and a biasing means (7) adapted to bias said movable member toward said first hinge member (column 5, lines 35-37), one of opposing surfaces of said first hinge member (6) and said movable member (5) being provided with a pair of end face cams (Fig. 5: 64) in such a manner as to extend in a peripheral direction about the turning axial line in a symmetrical arrangement about the turning axial line, the other of the opposing surfaces of said first hinge member (6) and said movable member (5) being provided with a pair of abutment parts (Fig. 5: 54) in such a manner as to be urged against said pair of end face cams by the biasing force of said biasing means (7) and adapted to co-act with said pair of end face cams to convert the biasing force of said biasing means to a turn biasing force,

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said movable member being turned by the turn biasing force, said pair of abutment parts (54) being moved along said pair of end face cams (64) toward rear end parts (annotated Fig. 16: B) from starting end parts (A) of said end face cams, said pair of end face cams are inclined such that said starting end parts (A) are closer to said movable member (5) than said rear end parts (B), said rear end parts (B) of said pair of end face cams (64) being provided with gentle inclination surface parts (as indicated by the slope line at B), respective inclination angles of said gentle inclination surface parts (at B) being smaller than inclination angles of parts (at A) located closer to said starting end parts (A) of said end face cams (64) than said gentle inclination surfaces.

FIG. 16
(annotated)



Response to Arguments

4. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's Amendment necessitated the new grounds of rejection based on the embodiment of the end face cams shown in Fig. 16. Applicant's arguments indicate that the reference '644 as a whole does not teach the limitations of claim 1, however the arguments seem to be directed at the embodiment of Fig. 17 used in the previous rejection. The limitations added to the claim by amendment are taught by the embodiment of '644 shown in Fig. 16 as outlined in detail above.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey O'Brien whose telephone number is (571)270-

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3655. The examiner can normally be reached on Monday through Friday 8:00am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor Batson can be reached on 571-272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Victor Batson/
Supervisory Patent Examiner, Art Unit 3677